

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

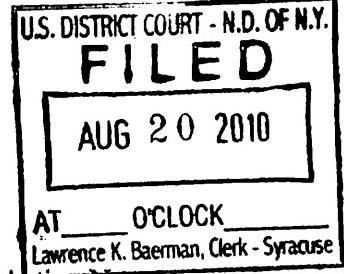
CHRISTOPHER M. DOTTOLO,

Plaintiff,

v.

BYRNE DAIRY, INC., NICK MARSELLA, Individually and in his capacity as Vice President of Operations, KEVIN J. SUTTON, Individually and in his capacity as Warehouse Manager, and BRANDON COOK, Individually and in his capacity as Supervisor,

Defendants.



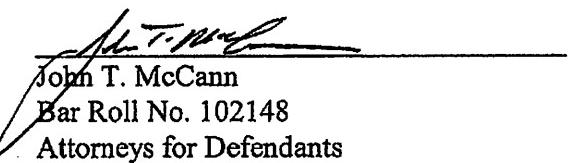
Civil Action No.
5:08-CV-390
(GTS/ATB)

STIPULATION OF DISMISSAL

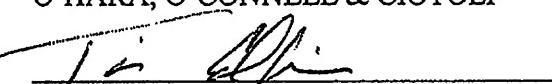
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the Plaintiff in the above-captioned action and the attorneys of record for all of the Defendants, that no party hereto is an infant or incompetent, that Defendant Kevin J. Sutton may be dismissed from this action with prejudice, each party to bear its own costs and attorneys fees.

Dated: August 17, 2010

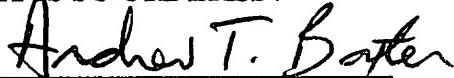
HANCOCK & ESTABROOK, LLP


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IT IS SO ORDERED:



Hon. Andrew T. Baxter
U. S. Magistrate Judge
Dated: August 20, 2010
Syracuse, NY